HVN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1566 OF 2006
IN

INCOME TAX APPEAL (L) NO. 768 OF 2006

The Commissioner of Income Tax ... Appellant

Versus

Mr. Samip Shah ... Respondent

Mr. S.M. Shah for the Appellant.

CORAM: F.I. REBELLO &
J.P. DEVADHAR, JJ.
DATED: OCTOBER 15, 2007

P.C.

. There is delay of 372 days. Affidavit in support of the motion is filed. We find that the order was passed on 3.3.2004. The comments of A.O. were called on 3.3.2004 and the same were received on 21.12.2004. There is also averment that the order was received on 21.12.2004, which appears to be a mischief. The appeal was filed on 27.4.2006. In our opinion, this would not amount to sufficient cause. Hence, motion dismissed.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**